

Naples City Council

August 9, 2018

Minutes

The regularly scheduled meeting of the Naples City Council was held August 9, 2018, 7:30 p.m., at the Naples City Office, 1420 East 2850 South, Naples, Uintah County, Utah.

DATE, TIME & PLACE OF MEETING

Council members attending were Dean Baker, Robert Hall, Gordon Kitchen, Dennis Long, Dan Olsen and Kenneth Reynolds.

COUNCIL MEMBERS ATTENDING

Others attending were members of the Naples Police Department, Scott Adams, Mark Watkins, Connie Patton and Nikki Kay.

OTHERS ATTENDING

Mayor Baker turned the time over to Chief Mark Watkins to conduct the swearing in ceremony for David Lacy. Officer Lacy's wife pinned his badge and Nikki Kay administered the oath of office.

S W E A R I N G I N CEREMONY FOR NEW OFFICER

Mayor Dean Baker welcomed everyone and called the meeting to order. Mayor Baker opened the meeting with the pledge of allegiance. Councilman Robert Hall offered the invocation.

OPENING CEREMONY

Mayor Baker presented the agenda for approval. Dennis Long **moved** to approve the agenda. Kenneth Reynolds **seconded** the motion. The motion passed with all in attendance voting aye.

AGENDA APPROVED

The minutes of the July 19, 2018-regular city council meeting were presented for approval. Dan Olsen **moved** to approve the minutes of July 19, 2018 as presented. Robert Hall **seconded** the motion. The motion passed with all in attendance voting aye.

MINUTES APPROVED

Mayor Baker asked if anyone had something they wanted to follow up on from the previous meeting. Councilman Long wanted to know if there were any issues or concerns regarding the fireworks on the 24th. Mayor Baker said there was some debris that came down on some houses to the south. He said they may want to re-look at where the fireworks are set off. He said, for the most part, everyone he

FOLLOW UP ITEMS FROM PREVIOUS MEETING

spoke with enjoyed the evening.

Connie Patton presented the bills in the amount of \$106,975.25. Dennis Long **moved** to approve the expenditures in the amount of \$106,975.25. Kenneth Reynolds **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

A business license application was received from **IKON Energy Solutions**, they are located at 1422 E 1500 S in the ProPetro building. Council members received a memo from Dale Peterson recommending approval of the business license. Robert Hall **moved** to approve the license. Dan Olsen **seconded** the motion. The motion passed with all voting aye.

Cory Auger with Utah Division of Forestry, Fire, and State Lands was present at the meeting to discuss the cooperative agreement with their agency. Mr. Auger stated the City signed the participation match agreement but said they didn't have a signed copy of the cooperative agreement. Councilman Kitchen wanted to know, in the incorporated area of the city, how much land would that be. Mr. Auger said it could be private land as well and stated when the gulch near the park recently caught fire, that was in the area covered. Mayor Baker asked Mr. Auger if the City could have a couple of weeks to review the agreement and to talk with Joshua Bake about it. Mr. Auger asked the Mayor if one of his questions was about the City adopting a CWPP (Community Wildfire Preparedness Plan)? He said that the Fire District is currently working on one of those for the City. Councilman Hall said they could pass the agreement pending the review by Joshua and the Mayor. Mike Erikson, area manager for the District, signed the agreement and stated the City could return a copy after it was signed by the City. Dennis Long **moved** to approve the cooperative agreement between Utah Forestry, Fire and State Lands and Naples City. Dan Olsen **seconded** the motion. The motion passed with all voting in the affirmative.

APPROVAL OF THE BILLS

BUSINESS LICENSE APPROVAL

C O O P E R A T I V E AGREEMENT WITH UTAH DIVISION OF FORESTRY, FIRE AND STATE LANDS

LAND USE CHANGES

Scott Adams, Vice-Chairman of the Planning Commission, was in attendance presenting the proposed land use changes. Mr. Adams presented a change to chapter 02-02 amending the definition for dwelling units. He said the definition was changed to match the state's requirements. Kenneth Reynolds **moved** to amend chapter 02-02 of the land use ordinance and adopt ordinance 18-208. Robert Hall **seconded** the motion. The motion passed with the following roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Scott Adams presented a change to the land use ordinance adding food trucks to the C, C1, I1, and P zones. He said this was to comply with state law that say a city may not prohibit food trucks in a zone where a food establishment is a permitted use. Dennis Long **moved** to adopt ordinance 18-209. Dan Olsen **seconded** the motion. The motion passed with the following vote:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Scott Adams presented the change to chapter 02-02 of the land use ordinance adding definitions for small wireless facilities and wireless facilities. He stated this was in response to the Small Wireless Facilities Deployment Act that was approve in the 2018 Legislative session. Dan Olsen **moved** to approve ordinance 18-210. Robert Hall **seconded** the motion. The motion passed with the roll call vote as follows:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

A change to chapter 02-31 of the land use ordinance was presented to Council by Scott Adams. This change would add

canal owner notifications to the Subdivision chapter. Mr. Adams said this change was also brought about by Legislative changes and requires the City to give notice to canal owners or operators regarding subdivision applications. Robert Hall **moved** to adopt ordinance 18-211. Dan Olsen **seconded** the motion. The motion passed with a roll call vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Scott Adams discussed the proposed changes to chapter 02-26 Commercial Zone of the land use ordinance. He stated the Planning Commission was split on requiring a developer to record the storm water retention on a plat with the County. Mr. Adams stated, because the Commission was divided on the matter, they sent the ordinance to the Council for the final decision. He explained there would be a fee associated with recording this and some on the Commission thought it was overbearing and unnecessary. Council members felt if the water retention was located underground and it was recorded there would be no surprises to adjacent property owners or future buyers. Kenneth Reynolds **moved** to approve the changes with Dennis Judd's recommendation that it be recorded on the plat and to adopt ordinance 18-212. Dan Olsen **seconded** the motion. The motion passed as follows:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Jim Harper submitted a request to purchase a zero turn lawn mower. The request was for \$12,089. Councilman Kitchen wanted to know what the cost would be to contract with someone to do it and why the City quit contracting this out. Mayor Baker thought it was when we had a downturn in the economy that the City quit paying someone to take care of the lawns. After some discussion on what it might cost to contract the services, with the addition of the plaza park, Dan Olsen **moved** to table the discussion until the next meeting and to have Jim come back with approximate costs

***APPROVE PURCHASE OF
ZERO TURN LAWN
MOWER***

to hire this out. Robert Hall **seconded** the motion. The motion passed with all voting in the affirmative.

Chief Watkins requested out of state travel approval for Nate Simper to attend the UNOA conference in Nevada. Councilman Kitchen questioned the need of sending Sergeant Simper to the conference when he will be deployed in less than a month. Chief Watkins said it is part of the agreement with the task force to have the agency represented and Sergeant Simper was also receiving an award at this meeting. The travel amount requested was \$784.48. Dennis Long **moved** to approve the travel request. Dan Olsen **seconded** the motion. The motion passed with the following vote:

Robert Hall	Aye
Dan Olsen	Aye
Dennis Long	Aye
Kenneth Reynolds	Aye
Gordon Kitchen	Aye

Chief Watkins also requested approval of \$75 for Lieutenant Cox to attend the dinner banquet where Sergeant Simper will be receiving the award. Kenneth Reynolds **moved** to approve the \$75. Dennis Long **seconded** the motion. The motion passed as follows:

Gordon Kitchen	Aye
Kenneth Reynolds	Aye
Dennis Long	Aye
Dan Olsen	Aye
Robert Hall	Aye

Councilman Hall told the Council he has been talking with Joshua about eagle scout projects. He said they talked about repainting the parking lot or building extra benches at the east fire pit. Councilman Kitchen said the Recreation District recently talked about striping the parking lots and thought anyone taking on that project would need to approach the Recreation District. He said anyone that will be spending money in the park might need to touch base with the Recreation District. Mayor Baker wanted to know if there was a process for a scout, do they need to come before the Council first or to the Recreation District? Councilman Kitchen said the District doesn't direct anyone to do a project, the scout comes to them and proposes what they want to do and then the District approves or disapproves the project

APPROVE OUT OF STATE TRAVEL

OTHER MATTERS OR FUTURE COUNCIL MATTERS

and gives the reasons why. Councilman Hall said, in the past, a scout has come before the Council to get approval. Council members determined that it wouldn't hurt for the scout to come before the City and the Recreation District to present the project they would like to do. Councilman Kitchen just didn't want the process to halt their progress.

Councilman Olsen expressed his concern about the 2000 East water project. He wanted to know if there was a time frame on clean up or if a walk through was scheduled? Mayor Baker said he assumed they would have to come back and do a clean up. Mayor Baker said he had plans to meet with Ashley Valley Water & Sewer about the project and see what their plans are. Councilman Olsen said there seems to be no reasoning to how they are doing their connections and hopes to have things cleaned up before winter.

With no other business before the Council, Robert Hall **moved** to adjourn the meeting at 8:30 p.m. Dan Olsen **seconded** the motion. The meeting was adjourned by all voting in favor of the motion.

MOTION TO ADJOURN

APPROVED BY COUNCIL ON THE 23rd DAY OF AUGUST 2018

BY: _____

ATTEST: _____